EXAMINER P. W. ACCOUNTS
No
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THE

MYSORE GAZETTE.

No. 5 Published by Authority. of 1881.

BANGALORE, SATURDAY, FEBRUARY 5, 1881.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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PART I.

Notifications by the Chief Commissioner of Mysore.

GENERAL DEPARTMENT.

NOTIFICATIONS.

The 24th January 1881.

No. 167.—It is hereby notified for general information that the Court of the Munsiff of Yelahanka in the Bangalore District will sit at Dodballapur from the 14th February 1881, from which date it will be designated the Court of the Munsiff of Dodballapur.

The 1st February 1881.

No. 163.—The following extract from the Proceedings of a Summary Court Martial for the trial of No. 767 Private Ramanna of the 11th Regiment, Madras Native Infantry, is published for general information, in accordance with Article 158 of the Indian Articles of War (Act V of 1869).

Extract from the Proceedings of a Summary Court Martial, held at Doranda on the 5th day of November 1880, by Colonel J. R. S. Henderson, Commanding 11th Regiment, Madras Native Infantry, under Article 90 of the Indian Articles of War for the trial of all such prisoners as may be duly brought before it.

The Prisoner No. 767 Private Ramanna of the 11th Regiment, Madras Native Infantry, was arraigned on the following Charges:—

1*st Charge*.—Disgraceful conduct in having at Doranda, on or about the 16th October 1880, stolen the following property belonging to Lall Homed, a washerman attached to the 11th Regiment, Madras Native Infantry, namely two bullocks of the value of rupees twenty-six or thereabouts and having thereafter dishonestly sold the said bullocks to Shek Tophey, a cartman, for the sum of rupees eleven.

2*nd Charge*.—Disgraceful conduct in having at Doranda, on or about the 16th October 1880, dishonestly received the following property belonging to Lall Homed, a washerman attached to the 11th Regiment, Madras Native Infantry, knowing the same to have been stolen, namely two bullocks of the value of rupees twenty-six or thereabouts and having thereafter dishonestly sold the said bullocks to Shek Tophey, a cartman, for the sum of rupees eleven.

Verdict of the Commanding Officer.

Finding.—I am of opinion, on the evidence before me, that No. 767 Private Ramanna of the 11th Madras Native Infantry is guilty of the 1st charge preferred against him with the exception of the words "stolen the following property belonging to Lall Homed, a washerman attached to the 11th Regiment, Madras Native Infantry, namely two bullocks of the value of rupees twenty-six or thereabouts and having thereafter" of which I acquit him.

Guilty of the 2nd charge.

Sentence of the Commanding Officer.

Sentence.—Taking all these matters into consideration, I now sentence the prisoner No 767 Private Ramanna of the 11th Regiment, Madras Native Infantry, to be imprisoned with hard labor for eight months and further to forfeit his arrears of pay and allowances to the extent of eleven rupees to make good the loss arising out of his misconduct.

Order by the Commanding Officer.

The prisoner No. 767 Private Ramanna of the 11th Regiment, Madras Native Infantry, having been sentenced to imprisonment with hard labor for eight months for disgraceful conduct is in accordance with the 157th Article of War dismissed the service with ignominy and is to be made over to the officer in charge of the jail at Rauchi to undergo his sentence.

Description of the Prisoner.

Name and Regimental number—Ramanna, 767 of the 11th Regiment, Madras Native Infantry. Date of enlistment—17th May 1879. Service to date—1 year and 173 days. Character—Very good. Age—21 years and 173 days. Height, 5 feet 8 inches. Caste—General. Country or village—Bangalore.

Particular appearance—Dark brown, scar on forehead between eye-brows, scar mark of disease on right side of head, scar on front of right thigh, scar on back of right thigh.

Whether discharged from the service or to return to regiment at the termination of sentence.	Discharge from the service with ignominy having been convicted of disgraceful conduct in having dishonestly received and sold stolen property.

The 1st February 1881.

No. 169.—It is hereby notified for general information that from the 14th February 1881, the local Magisterial jurisdiction of the Munsiff of Dodballapur in the Bangalore District will comprise the Taluks of Dodballapur, Devanhalli and Nelamangala.

The 3rd February 1881.

No. 170.—The following Rules prescribed by the Government of India, in supersession of existing orders, for enquiring into and reporting on serious accidents on Railways, are published for general information :—

Rules for enquiring into, and reporting on, Serious Accidents on Indian Railways.

GENERAL.

The following Rules are prescribed by the Governor General in Council for enquiring into, and reporting on, serious accidents on Railways, whether open for public traffic or under construction :—

Serious accidents are accidents attended with loss of human life, or serious injury to person or property ; or accidents of a description usually attended with such loss or injury.

2. In the case of any Railway passing through Native States, the Government of India will, from time to time, direct what official shall, for the purposes of these Rules, be regarded as the Magistrate of the District in respect of the portions of the Railway situate in each such State.

3. Throughout these Rules, the words "District Superintendent of Police" of the District in which the occurrence takes place shall be substituted for the words "Railway Police Superintendent" in repect of Railways wherein a Railway Police Superintendentship has not been established. The word "Manager" shall include the Agent of a Guaranteed or other Railway Company, or other officer in charge, and the Chairman of the Corporation in the case of the Calcutta Municipal Railway, and the Vice-Chairman of the Calcutta Port Commissioners in the case of Railways belonging to that body, and also the Chief Engineer or Engineer-in-Chief or other officer in charge of any Railway.

The officer authorized by Government to investigate and report on accidents is called the "Government Inspector": and his address and official designation will be notified to Managers from time to time by Local Governments or Administrations or by the Government of India.

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SECTION I.

Duties of Managers and Railway Officers.

4. On the occurrence of any serious railway accident, it shall be the duty of the nearest Station Master, or, where there is no Station Master, the officer in charge of the section of the Railway on which the accident occurs, to give immediate notice thereof in writing, or by telegraph when possible,—

In the case of railways belonging to the Calcutta Municipal Corporation or to the Calcutta Port Commissioners, the officer referred to in this rule as "the officer in charge of the section of the Railway" will be the Engineer in immediate charge of the line.

(*a*) to the nearest Magistrate in the district in which the accident occurred ;

(*b*) to the Railway Police Superintendent ;

(*c*) to the Officer in charge of the Police Station in the jurisdiction of which the accident occurred ;

(*d*) and to the senior Policeman present at his station.

5. It shall be the duty of the Manager to give notice of the accident—

(*a*) without delay to the Government Inspector, who has been authorized by Government to investigate and report on such accidents ;

(*b*) to the Secretary to the Local Government in the Judicial Department within forty-eight hours after the occurrence, in order that the Local Government may, if necessary, watch over the investigation.

6. The Manager shall in cases of serious personal injury afford medical aid to the sufferers, and see that they are properly and carefully attended to till removed to their homes or handed over to the care of their relatives or friends.

7. The Manager shall cause departmental enquiry to be held promptly for the thorough investigation of the causes of every serious accident, and shall, if he considers it expedient, invite the Superintendent of Railway Police to be present at the enquiry if possible : in his unavoidable absence, an officer of police should be present. Also, he shall communicate the conclusion at which he has arrived as the result of the enquiries to the Magistrate mentioned in Rule 4, and, if on open line, to the Government Inspector, with a statement of the persons, if any, whom the Railway authorities intend to prosecute, unless the matter should form the subject of a magisterial enquiry under Rule 8.

8. It shall be the duty of the Manager or of the officer or officers to whom the duty is delegated by him to bring to justice, wherever sufficient evidence is forthcoming, all Railway subordinates guilty of crime or of breaches of the Indian Railway Act, or of the General Rules, calculated to cause serious accident ; and to request the Superintendent of Railway Police to make a report of all cases in which there appears to be ground for suspecting Railway subordinates of such misconduct. Also, he shall request the Superintendent of Railway Police to prosecute all persons whom it may be decided should be prosecuted.

9. The Manager and all Heads of Departments shall facilitate the movements of the Medical Officers, the Police, the Magistrate, the Government Inspector and others concerned in reaching promptly the scene of the accident. And they shall assist these authorities in conducting enquiries either personally or by deputing some responsible and intelligent officer or officers as their representatives to aid in obtaining evidence and securing the attendance of the Railway subordinates.

10. In cases in which it is the duty of the Railway Officers to arrest any offender under Sections 48 and 49 of Act IV. of 1879, the Manager or officer or officers nominated by him as responsible in the locality shall instruct the Railway Police Superintendent or the senior Police Officer or Policeman present, or, in the event of there being no member of the Police force present, a Railway servant, to at once arrest the offender or, when such offender is himself a Railway officer whose removal would cause danger or grave inconvenience, that precautions are taken to prevent his escape, pending the arrival of a substitute.

11. He or they shall arrange for the attendance as long as needful at the Court or place of enquiry of any officer or servant of the Railway, upon the requisition of the Magistrate or other Civil officer.

12. The Manager shall maintain at each Railway station, or, in the case of lines under construction, in each divisional office, a list of Magistrates or other officers (such list to be furnished by the Magistrate having jurisdiction over the place where the station is situate), to whom reports of accidents should be made ; and he shall furnish Magistrates with a list of Railway officers to whom any summons may be sent for service on subordinate Railway servants.

13. In the case of judicial enquiries, he shall report the result to the Government Inspector, and forward copy of the decision of the Court.

14. He shall issue such detailed instructions as will give effect to the foregoing rules, and furnish the Government Inspector with copy of all such detailed instructions as issued.

SECTION II.

Duties of the Railway and District Police.

15. An investigation may be made by the Railway Police in the case of any railway accident.

16. Where there is no Railway Police, the duties imposed by these Rules on Railway Police or

the Railway Police Superintendent, must be discharged by the District Police, or the District Police Superintendent, in addition to their duties as such.

17. In the case of serious accidents, the Railway Police Superintendent, if any, or the District Superintendent of Police shall at once advice the Local Administration, and proceed without delay to the scene of the accident. If either officer be himself unable so to proceed, he shall depute a subordinate who, in the case of the District Police, shall be an Assistant Superintendent of Police where there is one, or, where there is no such officer, an Inspector. The officer unable to proceed shall also at once inform his departmental superior and the nearest Magistrate in the District.

18. Such accident shall forthwith be investigated by the Railway Police, and if the Police Officer is of opinion that sufficient grounds exist for a judicial investigation, he will bind all parties to appear before a Magistrate on a date to be fixed by that officer. If the investigation be made by the Railway Police, immediate information shall be given to the District Police, either direct or through the Magistrate of the District. The result of the Police investigation prescribed by this rule shall be reported to the Manager of the Railway and to the Magistrate of the District.

19. When the investigation is made by the Railway Police, and the assistance of the officers of the District Police is called for, the latter shall afford all necessary assistance, and shall, if occasion arise, carry the investigation beyond the limits of the Railway premises. But the Railway Police Superintendent is primarily entrusted with the duty of investigation within such limits. Subject to any provisions elsewhere contained in these Rules the further prosecution of the case on the conclusion of the preliminary local Police investigation shall rest with the Railway Police.

SECTION III.

Duties of Civil Officers.

20. It shall be in the distretion of the Magistrate of the District or of the Sub-Divisional Magistrate, on receiving information of the occurrence of a serious Railway accident within the meaning of Rule 1, either—

(*a*) himself to proceed to the scene of such accident and make any enquiry;
(*b*) to depute a Subordinate Magistrate to make enquiry; or
(*c*) to direct investigation to be made by the Government Railway or District Police as the case may be;
(*d*) to report to the Local Government serious accidents involving considerable loss of human life or indicating defective administration.

21. The Magistrate or other officer shall summon any servant of the Railway, and all other persons whose presence he may think necessary, and, after taking the evidence and completing this enquiry shall, if he consider, there are sufficient grounds for judicial investigation, take the requsite steps to bring to trial any person he may consider criminally liable for the accident.

22. The Manager or the Magistrate of the District, or the District Superintendent of Police, may require the Civil Surgeon of the District or any District Medical Officer to proceed to the scene of any Railway accident attended with personal injury, for the purpose of rendering medical aid and of making before the investigating authorities, any professional statements that may be required; and it shall be the duty of such Civil or Police Surgeon or Medical Officer to proceed accordingly.

23. In cases where technical points are involved, the Magistrate or other officer should be careful to call for and take the opinion of professional persons.

24. The result of this preliminary local inquiry will invariably be communicated by the Magistrate to the Manager of the Railway and to the Government Inspector.

25. Should the Magistrate have delayed judicial action until receipt of the Railway departmental report, he will then decide whether to discharge the persons accused or to proceed with the case.

26. If the Manager of the Railway do not prosecute the persons considered liable by the Civil Officer, the Magistrate will arrange for their prosecution.

27. If, in the course of the judicial enquiry, the Magistrate wishes for the assistance of the Government Inspector or Manager of the Railway, or for the attendance of any officer of the Railway, to explain or give evidence upon any matter relating to Railway supervision, management or working, he will issue a requisition to such officers to attend the Court.

28. On the conclusion of the judicial enquiry, the Magistrate will, if necessary, report the result for the information of the Local Government; and he will send a copy of his decision to the Manager of the Railway.

29. Magistrates, through whose jurisdiction a Railway passes, shall maintain a list of Railway Officers (such list to be furnished by the Manager), to whom summons may be sent for service on subordinate Railway servants, and shall furnish the Manager with a list of Magistrates or other officers to whom reports of accidents should be made.

SECTION IV.

Government Inspector's Duties.

30. On receiving notice of a serious accident to a train arising from defects of road or works or machinery or from obstructions, or in any case on requisition from the officer charged with the enquiry,

the Government Inspector shall proceed himself, or by deputy, to the scene of the accident, shall note the facts, watch the proceedings of the departmental or magisterial inquiry and make such enquiries and investigations as he may think fit, calling upon the Manager or officer in charge of the line for any assistance needed, and shall form his own conclusions.

31. He shall submit his report, with any notes he may desire to record, to the Government concerned, forwarding copy to the Manager of the Railway or to the Magistrate having jurisdiction in British or in Native Territory, as the case may be.

32. He shall assist the Magistrate so far as he can in person or by deputy in the judicial enquiry whenever called upon to do so.

33. In important cases, where a remedy or change of system appears necessary, the Government or Administration concerned should be informed what steps have been, or are proposed to be, taken by the Railway to prevent a recurrence of similar accidents, and whether in his opinion further action in the matter is desirable.

The 2nd February 1881.

No. 171.—Mr. A. Coopoosawmy Modaliar, Assistant Commissioner, delivered over, and Mr. A. Rangasamaiengar, B. A. & B. L., Subordinate Judge, received, charge of the Kolar District Treasury, on the afternoon of the 24th January 1881.

By Order,

W. J. CUNINGHAM,
Secretary.

REVENUE DEPARTMENT.

NOTIFICATIONS.

The 15th January 1881.

No. 89.—Tenders are hereby invited for the exclusive privilege of selling toddy in the Hassan District for 3 years, *viz.*, from 1st April 1881 to 31st March 1884. The privilege is not to include the sale of bagani toddy in the Malnad Taluks.

2. Each tender must specify the annual amount offered, and must be accompanied by a deposit of Rs. 1,000 in cash or Government securities, and enclosed in a cover superscribed with the words "Tender for the exclusive privilege of selling toddy in the Hassan District."

3. The tenders must be delivered at the Office of the Deputy Commissioner, Hassan District, on or before noon on the 14th February 1881, when they will be opened in the presence of the applicants. The applicant, whose tender may be selected by the Deputy Commissioner for recommendation to the Chief Commissioner, will be required to deposit at once, in cash or in Government securities, a further sum equal to one-twelfth (or one month's instalment) of the amount of the annual rent tendered, failing which the deposit made with the tender will be forfeited.

4. When the decision of the Chief Commissioner is announced, the deposits made by applicants whose tenders have been rejected will be thereupon returned to them on their application. The Chief Commissioner reserves to himself the power of rejecting the highest or any tender without assigning any reason.

5. The party whose tender may be accepted shall, within eight days after the Chief Commissioner's decision has been communicated to him, deposit with the Deputy Commissioner a sum, in cash or Government securities duly endorsed, which, with the sums previously deposited under para 3, shall be equal to one-fourth of the amount of the annual rent tendered, and shall execute an agreement in the usual form on proper stamp, binding himself to conform to the conditions hereinafter set forth, and if he fails or refuses to sign the agreement or to make the deposit required, the deposits already made will be forfeited to Government and the lease otherwise disposed of.

Conditions.

I. The annual contract amount shall be paid by equal monthly instalments, together with the prescribed local cess of one anna on every rupee, computed on such contract amount, into the District Treasury, on or before the 5th of the month following that for which the payment is due; and interest at the rate of 6 per cent per annum shall be paid on all arrears left outstanding on that date. Such arrears shall, if they remain unpaid after the lapse of the month in which they are payable, be recoverable by attachment and sale of the property of the lessee in the